



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

January 12, 2021

BY ECF

The Honorable Colleen McMahon
Chief United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl St.
New York, NY 10007

Re: United States v. Cahill et al., 20 Cr. 521 (CM)

Dear Judge McMahon:

The Government respectfully submits this letter, on consent of the parties, to request an adjournment of the pretrial conference scheduled for January 28, 2021. The Government respectfully requests that the conference be adjourned until a date in mid-March to enable the Government to complete—and the defense to review—Rule 16 discovery.

Since the last pretrial conference on October 29, 2020, the Government has produced substantial Rule 16 discovery, including: video/audio recordings of dozens of meetings between the defendants and the person identified in the Indictment as “Employer-1” (including the meetings at which the defendants accepted bribes from Employer-1); draft transcripts of a subset of these meetings; forensic extractions of each defendant’s own device(s) (for devices that were successfully unlocked); application materials and returns for search warrants executed in connection with the defendants’ arrests; post-arrest statements; and each defendant’s criminal history/pedigree information. The Government is continuing to organize and prepare additional Rule 16 material and intends to make rolling productions in the coming weeks.

Given the size and complexity of the remaining discovery—and staffing/logistics challenges due to the COVID-19 pandemic—the Government does not expect to be able to complete the remaining productions in time for the defense to review them before the current January 28 conference date. The Government anticipates that a mid-March date will allow enough time for the remaining productions to be made and for defense counsel to make additional progress in reviewing discovery.

Should the Court grant this application, the Government respectfully moves for the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, until the date of the adjourned conference because the purpose of the adjournment is to permit the Government to continue

producing Rule 16 discovery and for the defense to have an opportunity to review such discovery. All defendants, through counsel, have consented to exclusion of time.

Respectfully submitted,

ILAN GRAFF
Attorney for the United States
Acting Under Authority Conferred by
28 U.S.C. § 515

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CC (By ECF)
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